



**ANDERSON, BOWMAN
WALLSHEIN PLLC**

New York City
80-02 Kew Gardens Rd.
Suite 600
Kew Gardens, NY 11415
(718) 263-6800

Long Island
35 Pinelawn Road
Suite 106E
Melville, NY 11747
(631) 824-6555

Mark Anderson, Esq. • Dustin Bowman, Esq. • Charles Wallshein, Esq.
Btzalel Hirschhorn, Esq. • Matthew J. Routh, Esq. • Nicholas Neocleous, Esq. • Kimberly Wroblewski, Esq.

May 23, 2025

VIA ECF

Hon. Margo K. Brodie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York, 11201

**Re: *Bidar v. Eckert, Seamans, Cherin & Mellott, LLC, et al.*,
Case No. 1:25-cv-01828-MKB-JAM**

Dear Chief Judge Brodie:

Pursuant to Rule 3(b) of the Rules for the Division of Business Among District Judges in the United States District Court for the Eastern District of New York, Plaintiff respectfully submits this letter motion requesting that the above-captioned case and the following four subsequently filed putative class actions be deemed related and assigned to the same District Judge:

1. *Bhoge v. Frenkel Lambert Weiss Weisman & Gordon LLP*, 1:25-cv-01836-RER-LKE
2. *Caldero v. MTGLQ Investors, L.P., et al.*, 1:25-cv-01831-LKE
3. *Ruiz v. State of New York Mortgage Agency, et al.*, 1:25-cv-01837-HG
4. *Small v. Shapiro, DiCaro & Barak LLC, et al.*, 1:25-cv-01834-ENV-LKE

As set forth in the Complaint (Dkt. 1), the above-captioned case is a putative class action asserting claims under the Fair Debt Collection Practices Act, New York General Business Law § 349, New York Judiciary Law § 487, and the federal RICO statute, alleging a systemic scheme involving the submission of deceptive foreclosure sale reports and fraudulent calculations of judgment interest. Each complaint in the proposed related cases listed above proffers nearly identical causes of action and alleges similar, systematic miscalculations affecting foreclosure judgments and surplus funds.

Each of the above-referenced cases presents substantially similar factual allegations and overlapping legal theories regarding this scheme. As such, the cases satisfy the standard for relatedness under Rule 3(b) because they (1) involve substantially similar issues of law and (2) would result in substantial duplication of judicial effort if assigned to different judges.

In accordance with Rule 3(b), counsel for Plaintiff has contacted the defendants in all the proposed related cases to confer on their relatedness. To date, none of the defendants have

indicated a position on relating the matters. However, given the common factual nucleus, legal claims, and discovery issues implicated across these five cases, consolidation before a single District Judge will promote judicial economy and consistency in rulings.

Accordingly, Plaintiff respectfully requests that the Court grant Plaintiff's motion and issue an Order deeming these five cases related within the meaning of Rule 3(b), and reassigning them to a single District Judge for coordinated pretrial proceedings.

We thank the Court for its consideration.

Respectfully submitted,

**ANDERSON, BOWMAN &
WALLSHEIN PLLC**

/s/ Mark S. Anderson /s/
Mark S. Anderson, Esq.
Counsel for Plaintiff
80-02 Kew Gardens Rd, Ste. 600
Kew Gardens, NY 11415
(718) 263-6800
manderson@abwpllc.com

**NOTICE TO APPEARING PARTIES
(VIA ECF):**

**ECKERT, SEAMANS, CHERIN AND
MELLOTT, LLC**

Andrew Braunstein
Troutman Pepper Locke LLP
Brookfield Place
200 Vesey St, Ste 20th FL
New York, NY 10281
646-217-7879
andrew.braunstein@troutman.com

Harry Tiwari
Troutman Pepper Locke LLP
200 Vesey Street, 20th Floor
New York, NY 10281
212-415-8600
harry.tiwari@troutman.com

Thomas G. Yoxall
Locke Lord LLP
2200 Ross Ave, Suite 2200
Dallas, TX 75201
214-740-8683
tom.yoxall@troutman.com

William D. Foley , Jr
Troutman Pepper Locke LLP
Brookfield Place
200 Vesey St, Ste 20th Floor
New York, NY 10281
212-415-8600
william.foley@troutman.com

**DEUTSCHE BANK NATIONAL TRUST
COMPANY*****Michael S. Kraut***

Morgan, Lewis & Bockius, LLP
101 Park Avenue
New York, NY 10178
212-309-6927
mkraut@morganlewis.com

Grant MacQueen

Morgan Lewis & Bockius, LLP
101 Park Avenue
New York, NY 10178
212-309-6000
grant.macqueen@morganlewis.com

Peter Michael Fay

Morgan, Lewis & Bockius LLP
101 Park Ave
New York, NY 10178
347-461-4543
peter.fay@morganlewis.com

**SELECT PORTFOLIO SERVICING,
INC.*****Allison J. Schoenthal***

Goodwin Procter LLP
620 Eighth Avenue
New York, NY 10018
212-813-8800
ASchoenthal@goodwinlaw.com

Alyssa Sussman

Goodwin Procter LLP
The New York Times Building
620 Eighth Ave
New York, NY 10018
212-813-8800
asussman@goodwinprocter.com

Robin L Muir

Goodwin Procter LLP
620 Eighth Avenue
New York, NY 10018
212-813-8800
robinmuir@goodwinlaw.com